

**REMARKS:**

In the outstanding Office Action, the Examiner rejected claims 1-8, 23, 24 and 30. Claims 1-5, 23, 24 and 30 are amended herein, and new claim 31-36 are added. Claims 9-22 and 25-29 remain cancelled. No new matter is presented.

Thus, claims 1-8, 23, 24 and 30-36 are pending and under consideration. The rejections are traversed below.

**EXAMINER INTERVIEW:**

Applicants would like to thank the Examiner for taking the time to conduct the Examiner Interviews. Applicants respectfully request the Examiner to contact the undersigned if further clarification is needed to expedite prosecution of the application.

**REJECTION UNDER 35 U.S.C. § 101:**

Claims 1 and 23 were rejected under 35 U.S.C. § 101 as being directed to a non-statutory class. Claims 1 and 23 are amended herein (claims 2-8 depend from claim 1).

Therefore, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 112:**

Starting on page 3 of the Office Action, the Examiner provided reasons for rejecting claim 1 under 35 U.S.C. § 112. Claim 1 is amended herein.

Therefore, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 102(e):**

Claims 1-8, 24 and 30 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,026,370 (Jermyn).

Jermyn selects a product category based on purchase histories of customers for marketing products that are within the selected category to the customers. For example, as shown in Fig. 3, continuity rewards are generated for consumers who are loyal to a promoted brand, trial incentives are generated for consumers who are loyal to competitive brands and free sample messages are provided to consumers who are new to the promoted product category (see also, col. 7, lines 25-40). That is, Jermyn is limited to providing different incentives for products based on profile of customers where customers falling in the same category based on the customers' relation to the promoted brand are provided with identical product information or rewards.

The Examiner appears to equate the sample messages of Jermyn that are provided to consumers who are new to a product with the "introductory sentence" recited in the claims. According to Jermyn, households classified as being new to the promoted product all receive the same sample messages that are not customized. For example, consumers who bought frozen dinners and are new to the brand will receive identical sample messages which are not targeted to the individual consumers.

The claimed invention provides promotional product information with an introduction sentence that is directed to a customer's particular purchasing trend. For example, an introductory sentence of product A presented to a first customer may be regarding performance of product A while an introductory sentence of product A sent to a second customer may be regarding price of product A.

Independent claim 1 recites, "determining at least one product description that individually fits the transaction tendencies of each of the target customers determined by the transaction tendencies analyzer unit", where "each different product description having different product description content that corresponds to respective transaction tendencies of the target customers." Claim 1 further recites that information decision computing apparatus uses the "individually fitted product descriptions so as to individually inform the target customers of the particular promoting product, whereby the same particular promotion product is promoted to the target customers using the different customer-specific product descriptions."

Independent claim 23 recites, "a tendency matrix table that categorizes the transaction tendencies into at least two categories and indicating different commodity description information by a combination of the transaction tendencies", where the categories comprise "a speed purchasing tendency and a system type purchasing tendency." Claim 23 further recites that the commodity description information for the target customers are determined by referring to "the tendency matrix table based on the individual transaction tendencies of the target customers."

Claim 24 recites, "custom fitting a commodity description to the transaction tendencies of the target customer by selecting, from among a plurality of commodity descriptions, the commodity description having content that corresponds to the transaction tendencies of the target customer" and "sending the custom commodity description information to the target customer when promoting the promoting commodity to the target customer."

Jermyn does not teach or suggest each and every feature of the claims described above. Thus, it is submitted that the independent claims are patentable over Jermyn.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over Jermyn. The dependent claims are also independently patentable. For example, as recited in claim 3, the present invention “determines at least one transaction tendency of the target customer by converting at least one product type listed in the transaction history of the target customer by using the product type conversion table.” Jermyn does not teach or suggest these features of claim 3.

Therefore, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 103(a):**

Claims 1-8, 24 and 30 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,649,114 (Deaton) and Jermyn.

Deaton is directed to providing a sales promotion to customers who meet a predetermined shopping history criteria, where the sales promotion is related to a frequently previously purchased product. For example, customers determined to continuously buy a certain type of coffee are all provided with identical coupons related to the coffee brand (see, col. 71, lines 31-67). Accordingly, similar to Jermyn, Deaton is limited to providing identical discounts or coupons to all customers categorized in the same category and does not teach or suggest customized promotional description of products.

Deaton and Jermyn, alone or in combination do not teach or suggest providing promotional information that are “individually” fitted product “description” as taught by the claimed invention (claims 1, 23, 24 and 30).

For at least the same reason, claims depending from the independent claims are also patentably distinguishable over Deaton and Jermyn.

Therefore, withdrawal of the rejection is respectfully requested.

**NEW CLAIMS:**

New claim 31 has been added to recite, “... recording product type conversion information in which the product type corresponds to a first purchasing trend information indicating a first purchasing trend of the customer” and “recording a product rank conversion information in which the product rank corresponds to second purchasing trend information indicating a second purchasing trend of the customer.” Claim 31 further recites, “recording introduction sentence information corresponding to a combination of the first purchasing information and the second purchasing information” and “searching using the combination of the

first purchasing information and the second purchasing information and providing at least one introduction sentence from the introduction sentence information corresponding to the combination."

New claim 35 recites, "analyzing purchase history information of customers with respect to a first product" and "identifying customers who are likely to purchase a second product replacing the first product based on the analysis." Claim 35 further recites, "presenting individualized information including an introductory sentence indicating a corresponding interest of each of the customers in the second product using a result of the analysis."

New claim 36 recites, "providing promotional information for the product including the introductory sentence to at least one customer", where "the introductory sentence is identical to a purchase trend indicated in the purchase history of each customer."

Deaton and Jermyn, alone or in combination, do not teach or suggest the above features of claims 31, 35 and 36 (claims 32-34 depend from 31 and are at least allowable for the same reasons).

It is submitted that new claims 31-36 are patentably distinguishable over Deaton and Jermyn.

#### CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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